

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERNEST LENEAU,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/14/16

16-CV-893 (RA) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received the October 7, 2016 letter-motion (Dkt. No. 17) filed by the New York City Law Department (Law Department) requesting that the Court extend the time for defendants Natasha Cleary and Melissa Paul to answer or otherwise respond to the Amended Complaint (Dkt. No. 8) to October 21, 2016.

On August 8, 2016, after receiving a letter from the Law Department identifying officers Cleary and Paul, the Court deemed the Amended Complaint further amended to include those officers as defendants and ordered the Law Department to advise the Court in writing, no later than August 22, 2016, whether it would waive service of the Summon and Complaint on their behalf. (Dkt. No. 15.) The Court further ordered that defendants Cleary and Paul's responses to the complaint be filed no later than September 21, 2016 if the Law Department accepted service. On October 7, 2016, the New York City Department of Correction agreed to waive service on behalf of defendants Cleary and Paul (Dkt. No. 16), and the Law Department filed its letter-motion, attributing the failure to comply with the deadlines in the Court's August 8 order to an inadvertent calendaring error by counsel.

It is hereby ORDERED that the time for defendants Cleary and Paul to answer or otherwise respond to the Amended Complaint is extended to **October 21, 2016**. No further extensions will be granted absent good cause.

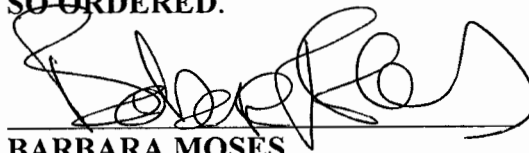
It is further ORDERED that this action is scheduled for an initial case management conference in accordance with Fed. R. Civ. P. 16, via telephone, on **Tuesday, November 15, 2016, at 11:00 a.m.** The Warden or other official in charge of the Otis Bantum Correctional Center at Rikers Island is ordered to produce plaintiff Ernest Leneau, Inmate No. 1411413352, on November 15, 2016, no later than 10:45 a.m., to a suitable location within the Otis Bantum Correctional Center that is equipped with a telephone, for the purpose of participating by telephone in a conference with the Court and defendants' counsel. If the scheduled time and date presents a hardship, the Warden or the Warden's designee should promptly inform chambers by calling Courtroom Deputy Kevin Snell at (212) 805-0228.

Defendants' counsel must: (1) send this Order to the Warden immediately; (2) contact the Otis Bantum Correctional Center at Rikers Island to arrange the call and determine the telephone number at which the plaintiff will be reachable at the above time and date; and (3) telephone chambers at (212) 805-0228, with the plaintiff on the line, at the time and date of the conference.

The Clerk of the Court is respectfully directed to mail a copy of this order to plaintiff.

Dated: New York, New York
October 14, 2016

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Barbara Moses', written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge